United States Patent and Trademark Office

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,355	12/29/2000	James E. Pricer	9226	8429

			EXAMINER
26890	7590	11/30/2004	STRANGE, AARON N

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ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/752,355	PRICER ET AL.
	Examiner	Art Unit	
	Aaron Strange	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>02 August 2004</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-15</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-15</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>29 December 2000</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 5, lines 4-8, filed 8/02/2004, with respect to the rejection(s)of claim(s) 1-15 under 35 USC 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made under 35 USC 103(a) in view of Tsuchida et al. (US 6,026,394).

2. With regard to applicants assertion that Muret's system is different from Applicant's claimed invention since Muret's system uses a "very complex, and inevitably slow sequential program" (Remarks, Page 5, Lines 11-13), the Examiner would like to note that the claims do not preclude the reference from being complex or slow. Muret meets all of the claim limitations, except for the use of parallel processing modules. The use of parallel processing modules is taught by Tsuchida, which has been cited below in the new grounds of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Muret et al. (US 2002/0042821) in view of Tsuchida et al. (US 6,026,394).

5.   With regard to claim 1, Muret et al. disclose a method for use in tracking the

actions of an Internet user, comprising: loading data from one or more transaction logs

of one or more Internet servers into a database system (log engine) (Page 2, Paragraph

51, Lines 1-2), where the data includes an entry for each request to the Internet server

(Page 2, Paragraph 51, Lines 4-6), including information identifying the which user

submitted the request (Page 4, Paragraph 71, Lines 7-10) and information identifying

the time at which the request was received (Page 3, Paragraph 55, Lines 1-5); and

selecting from the data all entries associated with a particular user and corresponding to

a single session of that user (Page 4, Paragraph 71). Muret et al. fails to disclose that

the database system comprises plural parallel processing modules or executing a

database query across the plural parallel processing modules to select the entries from

the data.

        Tsuchida et al. teach the use of plural parallel processing modules as a means to

decrease the time required to search a database (Col 2, Lines 54-58). Tsuchida

discloses a plurality of parallel processing modules including distribution nodes, join

nodes, and decision management nodes (Col 2, Line 59 to Col 3, Line 18). These

nodes distribute the workload related to the query process, and work on it in parallel to

achieve a result faster.

        Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to use plural parallel processing modules in the database

system to select the entries for a particular user from the data. This would have been advantageous since it would have greatly sped up the process of sorting through the data to select the desired entries.

6.   With regard to claim 2, Muret et al. further disclose that the step of selecting includes selecting entries with time stamps lying in a predetermined range (Page 4, Paragraph 71, Lines 10-13).

7.   With regard to claim 3, Muret et al. further disclose that the step of selecting includes comparing time stamps of entries and selecting each entry for which the time stamp differs from the time stamp of another entry by less than a predetermined amount (Page 4, Paragraph 71, Lines 10-13).

8.   With regard to claim 4, Muret et al. further disclose that the step of selecting includes selecting each entry for which the time stamp differs from the time stamp of another entry by less than 30 minutes (Page 4, Paragraph 71, Lines 10-13).

9.   With regard to claim 5, Muret et al. further disclose sorting the selected entries chronologically to reconstruct the user's clickstream (Page 4, Paragraph 72, Lines 4-5).

10.   With regard to claim 6, Muret et al. disclose a computer program for use in tracking the actions of an Internet user, the program comprising executable instructions

that cause one or more computers to: load data from one or more transaction logs of one or more Internet servers into a database system (log engine) (Page 2, Paragraph 51, Lines 1-2), where the data includes an entry for each request to the Internet server (Page 2, Paragraph 51, Lines 4-6), including information identifying the which user submitted the request (Page 4, Paragraph 71, Lines 7-10) and information identifying the time at which the request was received (Page 3, Paragraph 55, Lines 1-5); and select all entries associated with a particular user and corresponding to a single session of that user (Page 4, Paragraph 71). Muret et al. fails to disclose that the database system comprises plural parallel processing modules or executing a database quesry across the plural parallel processing modules to select the entries from the data.

Tsuchida et al. teach the use of plural parallel processing modules as a means to decrease the time required to search a database (Col 2, Lines 54-58). Tsuchida discloses a plurality of parallel processing modules including distribution nodes, join nodes, and decision management nodes (Col 2, Line 59 to Col 3, Line 18). These nodes distribute the workload related to the query process, and work on it in parallel to achieve a result faster.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use plural parallel processing modules in the database system to select the entries for a particular user from the data. This would have been advantageous since it would have greatly sped up the process of sorting through the data to select the desired entries.

11.   With regard to claim 7, Muret et al. further disclose that, in selecting entries, the

computer selects entries with time stamps lying in a predetermined range (Page 4,

Paragraph 71, Lines 10-13).

12.   With regard to claim 8, Muret et al. further disclose that, in selecting entries, the

computer compares time stamps of entries and selects each entry for which the time

stamp differs from the time stamp of another entry by less than a predetermined amount

(Page 4, Paragraph 71, Lines 10-13).

13.   With regard to claim 9, Muret et al. further disclose that, in selecting entries, the

computer selects each entry for which the time stamp differs from the time stamp of

another entry by less than 30 minutes (Page 4, Paragraph 71, Lines 10-13).

14.   With regard to claim 10, Muret et al. further disclose that the computer sorts the

selected entries chronologically to reconstruct the user's clickstream (Page 4,

Paragraph 72, Lines 4-5).

15.   With regard to claim 11, Muret et al. disclose a database system comprising: one

or more data-storage facilities (database) (Fig 1, 300) for use in storing data received

from one or more transaction logs of one or more Internet server computers (Page 1,

Paragraph 51), where the data includes an entry for each request to the Internet server

computers (Page 2, Paragraph 51, Lines 4-6), including information identifying the

which user submitted the request (Page 4, Paragraph 71, Lines 7-10) and information

identifying the time at which the request was received (Page 3, Paragraph 55, Lines 1-

5); and one or more processing modules configured to manage the data stored in the

data storage facilities (log engine) (page 3, Paragraph 57); and a database-

management component configured to select from the data all entries associated with a

particular user and corresponding to a single session of that user (Page 4, Paragraph

71). Muret et al. fails to disclose that the database system comprises plural parallel

processing modules or executing a database query across the plural parallel processing

modules to select the entries from the data.

Tsuchida et al. teach the use of plural parallel processing modules as a means to

decrease the time required to search a database (Col 2, Lines 54-58). Tsuchida

discloses a plurality of parallel processing modules including distribution nodes, join

nodes, and decision management nodes (Col 2, Line 59 to Col 3, Line 18). These

nodes distribute the workload related to the query process, and work on it in parallel to

achieve a result faster.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to use plural parallel processing modules in the database

system to select the entries for a particular user from the data. This would have been

advantageous since it would have greatly sped up the process of sorting through the

data to select the desired entries.

16.   With regard to claim 12, Muret et al. further disclose that the database-management component is configured to select entries with time stamps lying in a predetermined range (Page 4, Paragraph 71, Lines 10-13).

17.   With regard to claim 13, Muret et al. further disclose that the database-management component is configured to compare time stamps of entries and select each entry for which the time stamp differs from the time stamp of another entry by less than a predetermined amount (Page 4, Paragraph 71, Lines 10-13).

18.   With regard to claim 14, Muret et al. further disclose that the database-management component is configured to select each entry for which the time stamp differs from the time stamp of another entry by less than 30 minutes (Page 4, Paragraph 71, Lines 10-13).

19.   With regard to claim 15, Muret et al. further disclose that the database-management component is configured to sort the selected entries chronologically to reconstruct the user's clickstream (Page 4, Paragraph 72, Lines 4-5).

Conclusion

20.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

21.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

22.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Aaron Strange whose telephone number is 571-272-

3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

ANS
11/5/2004

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